

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

BENJAMIN T. CARIDAD.

No. 2:14-cv-0366 ACP

Petitioner.

ORDER

HARRY OREOL, et al.,

Respondents.

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, together with a request to proceed in forma pauperis.

The application appears to challenge a mentally disordered offender commitment order issued by the San Bernardino County Superior Court. In habeas corpus cases, venue is proper: (1) in the district of confinement, or (2) in the district of “conviction and sentencing.” 28 U.S.C. § 2241(d). Petitioner is currently confined at Patton State Hospital located in San Bernardino County, California, which is within the Central District of California. In this case, venue lies in the Central District because that is the district of confinement as well as the district in which the commitment order was issued. See 28 U.S.C. § 84; 28 U.S.C. § 2241(d).

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1 Accordingly, in the furtherance of justice, IT IS HEREBY ORDERED that:

2 1. This court has not ruled on petitioner's application to proceed in forma pauperis; and
3 2. This matter is transferred to the United States District Court for the Central District of
4 California.

5 DATED: February 14, 2014

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE